

**Amendment to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. A device for cutting or coagulating tissue, said device comprising:  
an elongate member having a distal end;  
~~at least one foot member extending from the distal end of the elongate member, said at least one foot member having a upper surface and a lower surface a right foot member having an upper surface and a lower surface and a left foot member having an upper surface and a lower surface, the right and left foot members extending angularly from the distal end of the elongate member such that an open space exists between the right and left foot members;~~  
an electrically and thermally insulating covering formed on at least the lower surfaces surface of the right and left foot members member; and  
~~at least one electrode on the upper surface of the at least one foot member an electrode~~  
on the upper surface of the right foot member; and  
an electrode on the upper surface of the left foot member;  
wherein the electrodes are energizable to thermally cut or coagulate tissue located above  
the open space located between the right and left foot members without causing substantial  
thermal cutting and/or coagulation of tissue located below the lower surfaces of the right and left  
foot members.
2. (Cancelled)
3. (Cancelled)
4. (Cancelled)
5. (Cancelled)

6. (Presently Amended) A device according to Claim 1 in combination with an electrosurgical generator for energizing the electrodes at least one electrode, wherein the at least one electrode, when energized by the electrosurgical generator, causes substantial thermal cutting and/or coagulation of tissue located above the upper surface of the at least one foot member but does not cause substantial thermal cutting and/or coagulation of tissue located below the at least one foot member.

7. (Presently Amended) A device according to Claim 1 wherein a bifurcated member extends from the distal end of the elongate member and wherein the right foot member comprises a right furcation of the bifurcated member and the left foot member comprises a left furcation of the bifurcated member 3 in combination with an electrosurgical generator for energizing the first and second electrodes such that they cause substantial thermal cutting and/or coagulation of tissue located above the upper surfaces of the right and left foot member portions or above the open space located between the right and left foot member portions, but does not cause substantial thermal cutting and/or coagulation of tissue located below right and left foot member portions or below the open space located between the right and left foot member portions.

8. (Presently Amended) A device according to Claim 1 wherein the an electrically and thermally insulating covering is formed on the upper and lower surfaces of the right and left foot members at least one foot member and wherein the electrodes are at least one electrode is located on top of the electrically and thermally insulating covering formed on the upper surface of the at least one foot member.

9. (Original) A device according to Claim 1 further comprising at least one lumen useable for infusion of fluid or matter and/or aspiration of fluid or matter.

10. (Original) A device according to Claim 9 wherein the device comprises first and second lumens such that fluid or matter may be infused through one lumen while fluid or matter is aspirated through the other lumen.

11. (Original) A device according to Claim 1 wherein the insulating covering comprises a coating.
12. (Original) A device according to Claim 1 wherein the insulating covering comprises a polymer coating.
13. (Original) A device according to Claim 12 wherein the polymer coating comprises a polyimide coating.
14. (Presently Amended) A device according to Claim 1 wherein the covering comprises a coating that has been applied ~~to at least the lower surface of the foot member~~ by a coating method selected from the group consisting of:
  - single layer dip coating
  - multi layer dip coating
  - painting
  - powder (electro statically)
  - vapor deposition.
15. (Original) A device according to Claim 1 further comprising a handpiece from which the elongate member extends.
16. (Original) A device according to Claim 15 wherein the elongate member is releasably attached to the handpiece.
17. (Presently Amended) A device according to Claim 16 ~~15~~ wherein the elongate member is disposable and the handpiece is reusable.
18. (Original) A device according to Claim 15 wherein the elongate member is permanently attached to or integrally formed with the handpiece.

19. (Original) A device according to Claim 18 wherein the handpiece and elongate member are autoclavable.

20. (Presently Amended) A system comprising a device according to Claim 1 in combination with a cannula through which the device is insertable wherein the device is formed on, incorporated into or inserted through a cannula, said cannula being advanceable into the body of a human or animal subject.

21. (Original) A device according to Claim 1 wherein the cannula comprises a rigid cannula.

22. (Original) A device according to Claim 1 wherein the cannula comprises a flexible catheter or percutaneously insertable catheter.

23. (Presently Amended) A system comprising a device according to Claim 1 in combination with an endoscope that is wherein the device is advanceable from formed on, incorporated into or inserted through an endoscopic device, said endoscopic device being useable to view the positioning of the device within advanceable into the body of a human or animal subject.

24. (Original) A device according to Claim 23 wherein the endoscopic device is selected from the group consisting of:

- gastrointestinal endoscopes;
- dental endoscopes;
- sigmoidoscopes;
- colonoscopes;
- laparoscopes;
- thoracoscopes;
- cystoscopes; and
- arthroscopes.

25. (Presently Amended) A method for selective electrosurgical cutting or coagulation of tissue, said method comprising the steps of:

A) providing inserting a device which comprises;

- i.—an elongate member having a distal end;
- ii.—a right foot member having an upper surface and a lower surface and a left foot member having an upper surface and a lower surface, the right and left foot members extending angularly from the distal end of the elongate member such that an open space exists between the right and left foot members;
  - an electrode on the upper surface of the right foot member;
  - an electrode on the upper surface of the left foot member; and
  - at least one foot member extending from the distal end of the elongate member, said foot member having a upper surface and a lower surface;
- iii.—an electrically and thermally insulating covering formed on at least the lower surfaces surface of the right and left foot members member; and
- iv.—at least one electrode on the upper surface of the foot member;

B) positioning the device such that a mass of tissue that is to be cut or coagulated protrudes into an area located above the open space between the right and left foot members is located above the upper surface of the at least one foot member and other tissue is located below the lower surface of the at least one foot member; and

C) energizing the electrodes to thermally cut or coagulate the mass of tissue above the open space located between the right and left foot members without causing substantial thermal cutting and/or coagulation of tissue located below the lower surfaces of the right and left foot members at least one electrode such that tissue located above the upper surface of the at least one foot member is cut or coagulated and tissue that is located below the lower surface of the at least one foot member is not substantially cut or coagulated.

26. (Cancelled)

27. (Presently Amended) A method according to Claim 25 wherein the device inserted in Step A comprises a bifurcated member that extends from the distal end of the elongate member, wherein the right foot member comprises a right furcation of the bifurcated

member and the left foot member comprises a left furcation of the bifurcated member and wherein the device is positioned in Step B such that the mass of tissue protrudes upwardly through and above an open space between the right and left furcations of the bifurcated member at least one foot member of the device provided in Step A is configured to form a plurality of foot members or foot member portions that are separated from one another by one or more open areas and the procedure is being carried out at least in part for the purpose of severing a first mass of tissue that extends from a second mass of tissue and wherein:

- Step B comprises positioning the device such that the first mass of tissue extends through an open area between adjacent foot members or foot member portions and the second mass of tissue is below the lower surfaces of the foot members or foot member portions; and
- Step C comprises energizing the at least one electrode such that the first mass of tissue is severed from the second mass of tissue without causing substantial damage to the first mass of tissue.

28. (Presently Amended) A method according to Claim 25 wherein the first mass of tissue comprises a tumor and the second mass of tissue comprises normal anatomical tissue.
29. (Presently Amended) A method according to Claim 25 wherein the first mass of tissue comprises a blood vessel and the second mass of tissue comprises normal anatomical tissue.
30. (Presently Amended) A method according to Claim 25 wherein the first mass of tissue comprises an adhesion and the second mass of tissue comprises normal anatomical tissue.
31. (Presently Amended) A method according to Claim 25 wherein the first mass of tissue comprises a gastrointestinal polyp, tumor or other growth that protrudes from a wall of the and the second mass of tissue comprises the wall of the colon, small intestine, duodenum, stomach, esophagus, oropharynx or oral cavity.

32. (Presently Amended) A method according to Claim 25 wherein the ~~first~~ mass of tissue comprises a retinal blood vessel ~~and the second mass of tissue comprises the retina.~~
33. (Presently Amended) A method according to Claim 25 wherein the ~~first~~ mass of tissue comprises an epiretinal membrane ~~and the second tissue comprises the retinal.~~
34. (Presently Amended) A method according to Claim 25 wherein the ~~first~~ mass of tissue comprises gingival tissue ~~and the second mass of tissue comprises a tooth, root, nerve or other anatomical structure of the oral cavity or head.~~
35. (Presently Amended) A method according to Claim 25 wherein the ~~first~~ mass of tissue comprises a dermatological lesion ~~and the second mass of tissue comprises skin.~~
36. (Presently Amended) A method according to Claim 25 wherein the ~~first~~ mass of tissue comprises neurological tissue or abnormal tissue that is attached to neurological tissue ~~and the second mass of tissue comprises neurological tissue.~~
37. (Presently Amended) A method according to Claim 25 wherein the ~~first~~ mass of tissue comprises a nodule or other growth on a vocal chord ~~and the second mass of tissue comprises vocal chord.~~
38. (Presently Amended) A method according to Claim 25 wherein the ~~first~~ mass of tissue comprises pericardium, endocardium or cardiac tissue ~~that is to be cut and the second mass of tissue comprises myocardium, a coronary or cardiac blood vessel, tendinous chord, papillary muscle, heart valve, trabeculae, cardiac nodal tissue, coronary venous sinus, septum or other normal cardiac tissue.~~

39. (Presently Amended) A method according to Claim 25 wherein the ~~first mass of tissue comprises cartilage, tendon or ligament and the second mass of tissue comprises bone, periostium, muscle or other normal anatomical tissue.~~

40. (Presently Amended) A method according to Claim 25 wherein ~~Step B further comprises passing the device is inserted through a channel of an endoscopic device.~~